

Chairman Lowell Johnson called the regularly scheduled meeting to order at 10:02 a.m. with Commissioners Lowell Johnson, Rod Johnson, Landis and Vap present and Commissioner Boyle excused at the beginning of the meeting. Chairman Johnson also invited the public to address the Commission at any point during the meeting. He also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room.

GENERAL ADMINISTRATION

Notice was duly published August 22, 2006 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held August 29, 2006 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, August 29, 2006:

C-3581/ Commission Hearing Room, Lincoln.
NUSF-55 In the Matter of HunTel Cable Vision, Inc., d/b/a HunTel
1:30 Communications, Blair, seeking designation as an Eligible
Telecommunications Carrier (ETC) in its designated service
area in the state of Nebraska. Commissioner Jerry Vap
presiding as Hearing Officer.

C-3583/ Commission Hearing Room, Lincoln.
NUSF-56 In the Matter of Three River Communications, LLC, Lynch,
1:30 seeking designation as an Eligible Telecommunications
Carrier (ETC) in the state of Nebraska. Commissioner Jerry
Vap presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

AD-354r In the Matter of Puppchen, Inc., d/b/a National Account
Systems of Omaha, Omaha, seeking authority to register and
connect an automatic dialing-announcing device: Motion made by Com-
missioner Rod Johnson, seconded by Commissioner Frank Landis, to
enter an order granting the application. Motion passed with Commis-
sioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting
AYE, and Commissioner Anne Boyle excused not voting.

C-3049 In the Matter of the Commission, on its own motion, seeking
to conduct an investigation into possible solutions for
extending the life of area codes 308 and 402. Commissioner Frank
Landis presiding as Hearing Officer: Motion made by Commissioner
Frank Landis, seconded by Commissioner Jerry Vap, to enter an order
granting a modification of the waiver schedule. Motion passed with
Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap
voting AYE, and Commissioner Anne Boyle excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3652 In the Matter of Comcast Business Communications, Inc., Philadelphia, Pennsylvania, seeking approval of Pro Forma changes and a name change to Comcast Business Communications, LLC, d/b/a Comcast Long Distance: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

C-3662 In the Matter of KMC Telecom V, Inc., Bridgewater, New Jersey, seeking to withdraw their local exchange and inter-exchange authority of telecommunication services and cancel it's tariffs in the state of Nebraska: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Commissioner Boyle entered the Commission Hearing Room.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order approving applications C-3646 through C-3663. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3646 In the Matter of Qwest Corporation, Denver, Colorado, seeking an Omaha Forbearance Order ("OFO") amendment to an interconnection agreement with TCG Omaha, Denver, Colorado, previously approved in C-3095.

C-3648 In the Matter of Qwest Corporation, Denver, Colorado, seeking a Triennial Review Order and Triennial Review Remand Order ("TRO/TRRO") amendment to an interconnection agreement with Three River Communications, LLC, Lynch, previously approved in C-2895.

C-3654 In the Matter of Qwest Corporation, Denver, Colorado, seeking an Omaha Forbearance Order ("OFO") amendment to an interconnection agreement with Comtel Telcom Assets LP, d/b/a Excel Telecommunications ("Excel"), Carrollton, Texas, previously approved in C-2769.

C-3656 In the Matter of Qwest Corporation, Denver, Colorado, seeking a triennial review order and triennial review remand order ("TRO/TRRO") amendment to the interconnection agreement with Comtel Telcom Assets, LP, d/b/a VarTec Telecom ("VarTec"), Carrollton, Texas, previously granted in C-2649.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3663 In the Matter of Qwest Corporation, Denver, Colorado, filing under protest of the Commercial Agreement with Com-tel Telcom Assets LP, d/b/a Vartec Telecom, Carrollton, Texas, for Provision Qwest Platform Plus Service (QPP).

E-2124 In the Matter of the Midwest Electric Cooperative Corpora-tion, Grant, seeking authority to construct, operate and maintain an electric transmission line in Keith County: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order approving the application. Motion passed with Commis-sioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-2831/ In the Matter of the Commission, on its own motion, seeking
NUSF-51/ to investigate telecommunications infrastructure develop-
PI-67 ment in Nebraska. Commissioner Gerald Vap presiding as
 Hearing Officer: Gene Hand reported on the September 22,
2006, broadband workshop.

Gene Hand reported on the meetings held August 23, 24 and 25, 2006, between members of the teams implementing LB 1208 and carriers that may respond to future Requests for Proposals necessary to implement the distance education improvement plan.

Gene Hand reviewed one complaint received that was initially designated as an Automatic Dialing-Announcing Device complaint.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-011/ In the Matter of the Commission, on its own motion, seeking
PI-79 to establish Phase II Enhanced Wireless 911 service imple-
 mentation: Motion made by Commissioner Jerry Vap, seconded
by Commissioner Anne Boyle, to enter an order requesting vendors to submit equipment and service offerings. Motion passed with Commis-sioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

911-023.25 In the Matter of Lincoln County, North Platte, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order amending the previously approved funding request. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-23.36 In the Matter of the City of Lincoln, Lancaster County, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order approving the funding request. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

911-023.45 In the Matter of Johnson County, Tecumseh, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order approving the funding request. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

911-023.47 In the Matter of Knox County, Center, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order approving the funding request. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NUSF-4 In the Matter of the Commission, on its own motion, seeking to determine the level of the fund necessary to carry out the Nebraska Telecommunications Universal Service Fund Act to be effective for the fiscal year beginning July 1, 2006. Commissioner Landis presiding as Hearing Officer:

NUSF-50 In the Matter of the Commission, on its own motion, seeking to make adjustments to the universal service fund mechanism established in NUSF-26. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter a combined order with Docket NUSF-4, seeking comments and exhibits due on September 29, 2006, with reply testimony and exhibits due on October 23, 2006. A pre-hearing conference was scheduled for October 31, 2006 at 1:30 p.m. in the Commission Hearing Room, Lincoln. A hearing was scheduled for November 8, 2006 at 11:00 a.m., continuing to November 9, 2006, if necessary, at 10:00 a.m., in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NUSF-51/
C-2831 In the Matter of the Commission, on its own motion, seeking to investigate telecommunications infrastructure develop-
PI-67 ment in Nebraska: Gene Hand discussed the status of this docket on the Communications Department's agenda.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Jeff Pursley reported on the Late-Filed Carrier Remittance Report: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to approve the request for waiver from Southern Kansas Telephone Company for the late-fee levied in the August 8, 2006 Commission meeting and that a complaint be opened against Opex Communications. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

P-0013.1 In the Matter of Metropolitan Utilities District of Omaha, Omaha, providing notice required by Neb. Rev. Stat. Section 57-1306, as amended, that it intends to extend or enlarge its service area or extend a gas main: Motion was made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order closing the docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

RULES AND REGULATIONS

Rule and In the Matter of the Commission, on its own motion, seeking Regulation to amend Title 291, Chapter 9, Natural Gas and Pipeline #157A Rules and Regulations, to adopt rules in accordance with Nebraska Legislative Bill 790 [2003]: Angela Melton reported that the rules were forwarded to the Governor's Office for signature on August 24, 2006.

LEGISLATIVE REPORT

Angela Melton reported that the Agriculture Committee of the Nebraska Legislature has scheduled a meeting to discuss Legislative Resolutions 350 and 351 on September 29, 2006 at 9:30 a.m.

TRANSPORTATION DEPARTMENT

B-1613 In the Matter of Rick Holloway, d/b/a Taxi Specialties of Lexington, Lexington: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order to Show Cause and schedule a hearing for September 25, 2006, at 1:30 p.m. in the Commission Library, Lincoln and the Educational Service Unit #16, 1221 West 17th, Distance Learning Room, North Platte. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE. Commissioner Vap appointed Hearing Officer.

TRANSPORTATION DEPARTMENT (Cont.)

B-1661 In the Matter of Heartland Gondolas, Inc., Omaha, seeking a suspension of the Certificate of Necessity issued in Application B-1661 until September 1, 2007: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order granting the application and suspending Certificate B-1661 until September 1, 2007. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Rate Division

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Household Goods Tariff 7-F: The fuel surcharge was retained at 86 cents per mile.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

Mark Luttich explained to the Commission the need for a press release designed to make the public aware of the State's regulations for recreational vehicles and its inclusion of horse trailers built with living quarters for human habitation. Dealers of such trailers seem to be unaware of the State's regulation which protects consumer health and safety.

GENERAL ADMINISTRATION

Motion made by Commissioner Rod Johnson, seconded by Commissioner Anne Boyle, to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

DAS Communications	\$	3,411.19
Larry Fauss		960.00
Gerald Vap		946.96

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to dispose of the following Commission property: 3 Indiana Hi-back Executive Chairs and 3 Lexmark 3200 printers (serial numbers: 898334, 898621, 898622). Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Upon agreement of all Commissioners, authorization was granted for Nichole Underhill to attend training sponsored by the Nebraska Mediation Center Association and Nebraska Office of Dispute Resolution Training Institute from November 14-17, 2006 at the Hruska Law Center, 635 South 14th Street, Lincoln.

GENERAL ADMINISTRATION (Cont.)

Upon agreement of all Commissioners, authorization was granted for Commissioners to attend the National Association of Regulatory Utility Commissioners Annual Conference to be held in Miami, Florida from November 11-15, 2006.

Upon agreement of all Commissioners, authorization was granted for Gene Hand and Jeff Pursley to attend the National Association of Regulatory Utility Commissioners Annual Conference to be held in Miami, Florida from November 9-15, 2006.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to schedule the following Commission meeting dates and times for the fourth quarter, 2006. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

October: 3, 11 (Wednesday 9:00), 17, 24 and 31
November: 8 (Wednesday), 21 and 28.
December: 5, 12 and 19.

No meetings were scheduled for the weeks of the November 14 and December 26, 2006.

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to approve the 2007-09 Budget. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve a General Administration employee leave request: Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

The meeting adjourned at 10:55 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present. The next regularly scheduled meeting will be held on September 6, 2006, at 9:00 a.m. with an agenda to be available in the office of the Executive Director at 9:00 a.m. on September 5, 2006.

Chairman

Executive Director